

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.05-CR-257

ELOY GOMEZ-CALVILLO,

Defendant.

ORDER

The defendant, Eloy Gomez-Calvillo, has requested in open court and with the advice of his counsel, to be returned to the Racine Correctional Institution, Racine, Wisconsin (the "sending state"), pending the trial in this matter. A hearing has been held on the defendant's request and based upon the statements of the defendant and his counsel at that hearing, the Court hereby finds:

1. That the defendant has requested, after consultation with his attorney, to be returned to the Racine Correctional Institution, Racine, Wisconsin, pending trial in this matter and agrees to be returned to court as necessary in this case;

2. That the defendant, Eloy Gomez-Calvillo, has been fully advised of his rights under the Interstate Agreement of Detainers (Pub. Law 91-538, 84 Stat. 1397-1403); and

3. That after being so advised, the defendant has knowingly and voluntarily waived any and all rights he may have under the Interstate Agreement of Detainers, including his right under Article IV(c) to be tried within 120 days of his arrival in the receiving state and his right to be tried prior to being returned to his original place of imprisonment pursuant to Articles IV(e) and V(e);

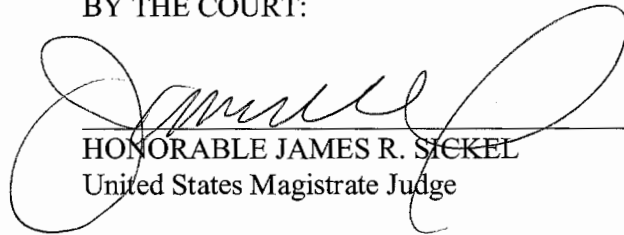
4. That the ends of justice served by the defendant's waiver outweigh the public interest in a speedy trial under the circumstances present here.

Accordingly, the Court hereby orders that the defendant be returned to the Racine Correctional Institution, Racine, Wisconsin, pending further proceedings in this case.

BY THE COURT:

Date: _____

Nov 4, 2005



HONORABLE JAMES R. SICKEL
United States Magistrate Judge